

**INLAND AND WETLANDS COMMISSION
REGULAR MEETING
JULY 2, 2014**

Mary Davis called this meeting to order at 6:00 PM with the following in attendance:

MEMBERS:

Mary Davis, Chair
Sally MacKenzie, Secretary
Marcia Puc
Tracy DeBarber, Absent
Mark Bakstis
Lars Johnson, Alternate, Absent

OTHER:

Jim Stewart, Director of Public Works
Sue Goggin, Secretary
Public - 2

1. Mary Davis called this meeting to order at 6:00 P.M. She noted there was a quorum. She opened the meeting with the Pledge of Allegiance.
2. Executive session with Borough Attorney.
There was no executive session.
3. Public comment.
There was no public comment.

4. **OLD BUSINESS**

A. Long Meadow Pond Brook ERT Study

Mary said this item is postponed temporarily due to lack of staffing. They will keep this on the agenda.

B. Commission discussion/decision regarding an existing Commercial Outdoor Automobile Storage (IW#14-01) located at the Risdon Property, Arch Street, Scott Road, Andrew Avenue and Rubber Avenue; Applicant: A Better Way Wholesale Auto

Attorney McSherry, 38 Fairview Avenue, said it came to his attention about a week ago that the engineer had not been doing his job and he has been discharged. They have hired a new engineer and hope to move forward promptly. Mary asked if the booms were in and if any work has been done. Attorney McSherry said he will tell them that they can put the booms in. He thought they would have a map in hand sometime in June. Mary expressed concern that there are no safeguards in place after three months. Attorney McSherry said he will tell them to put the booms in and they will have it done within a week's time. Sally asked if they know where to place the booms. Attorney McSherry said they know where they should go. Mark asked about Wayne's recommended spill protocol and if they've been implemented. There is a manager on site who has the spill protocols with him. Mary said they are working under a notice of violation and

they were hoping to have something in place by this month. Attorney McSherry said he will prompt them along to do it properly. There was no further discussion.

- C. Commission discussion/decision regarding special permit for demolition of existing buildings and construction of a 4500 sq. ft. retail building and gas pumps located at 42-48 Prospect Street (IW #14-02) and special permit for earth excavation of more than 350 cu yds at same location (IW #14-06); Applicants: Remzi & Vesel Nasufi

Mary asked if the applications could run together. Attorney McVerry, offices at 35 Porter Avenue, said they would like to run them together. He said the bank in the rear of the property is where they will be excavating about 5600 cu yds of material which is what necessitates the special permit application. There was a discussion over which catch basins the water will be draining to and the path from there. Sally asked if the upland review area is shown on the plan. Bryan said Fulling Mill Brook is over 100' off the property. Mary asked about installing a fuel moat around the gas pumps. Brian said they will consider that. Mary said they will have to come back before the commission with a new map showing the moat and the 100' Upland Review Area. Jim asked if they could show the existing drains that are being removed and show where it is being closed off. Also, he would like them to put silt sacks in the catch basins along the property. Jim said he is more familiar with hydrodynamic separators being installed prior to the underground piping so that in case of a spill it gets caught before it gets transitioned into the ground water. Brian said they will look into that. Mary asked Jim's opinion if he thinks what they are proposing will help prevent things from going into the brook. Jim said he thinks it's fine. Mark said there is no protection at the aprons on Prospect Street in the event of a spill. Brian said they could berm up the entrance to contain it. Jim asked where the underground tanks are going to be and which way it is graded. He said in the event of a spill it would not get out onto Prospect Street. Joe Savarese, of the Naugatuck River Watershed Association, said they have been working to clean up the Naugatuck River since 1981. He said their objective is to restore the river as close to its original condition as they can. He noted that if the tributaries that feed into it are not maintained properly, they could put pollutants into the Naugatuck River. He named the four tributaries that feed into it. He said Fulling Mill Brook supports a native brook trout population as well as supports spawning of trout that reside in the river. He explained the stress that the fish are already under during the summer months due to temperatures and said if there was a gasoline spill, it would put them in more danger. He said they should take into account how negatively would the fish be impacted. He would like the commission to take into consideration anything that might negatively impact the Naugatuck River or its tributaries. Mary thanked Joe for coming to the meeting. Mary said in her thoughts are that it is not a significant activity. Mark said he was concerned with the nature of the business and the potential pollution (spill) and the proximity to the

brook. Mary said if they decide that this is a significant activity then they will have to have a public hearing on it and she's not sure if a public hearing will give them any more information than what they already have. There was a discussion over whether or not something is a significant activity.

VOTED: 3-1-0 on a motion by Mark Bakstis and seconded by Sally MacKenzie that IW #14-02 be declared a significant activity.

FOR

Mark Bakstis
Sally MacKenzie
Marcia Puc

AGAINST

Mary Davis

ABSTAIN

The Public Hearing was set for August 6, 2014 at 6:15 P.M. There was no further discussion.

- D. Commission discussion/decision regarding re-grading of parking lot within the 100' Upland Review Area at 4 Arch Street (IW #14-03); Applicant: Hector Irizarry

Mary read Wayne's report into the record. She said they went on a site walk to the property. She asked Jim what size rock they should use. Jim suggested 5' of rip rap with 10" stones should be sufficient. Jim said Mr. Irizarry should have a more detailed sketch drawn up for the contractor. There was a discussion over the grading of the area. There was a discussion over public works cleaning out the catch basin in front of his property every year. Jim said it is on the list for them to clean it out.

VOTED: Unanimously on a motion by Marcia Puc and seconded by Sally MacKenzie to **APPROVE** IW #14-03 for re-grading to the parking lot with the following conditions:

1. Wayne shall work with the contractor on site.
2. Must install five (5) feet of ten (10) inch rip rap before the spillway to the brook.
3. Must install filter fabric.

Sue will send Mr. Irizarry the approval with the conditions.

- E. Commission discussion/decision for two proposed houses and sewer connections within the 100' Upland Review Area on Lot W-12 and Lot W-13 on Rubber Avenue (IW #14-04); Applicant: The Views at Long Meadow Brook

Alan Shepherd, P.E., said the sewer line that they are looking to connect to goes through Long Meadow Brook. He went through the process they will follow. He explained the mitigation measures they will use. Mary said they have scheduled a site walk for Wednesday, July 9, 2014 at 6:00 P.M. The engineer will join them.

VOTED: Unanimously on a motion by Sally MacKenzie and seconded by Marcia Puc that IW #14-04 be declared a significant activity.

The public hearing was set for August 6, 2014 at 6:30 P.M.

5. **NEW BUSINESS**

- A. Commission discussion/decision regarding tree removal and tree trimming along the bank of Long Meadow Pond Brook at 24 Cherry Street (IW#14-07); Applicant: Nutmeg Financial Holdings LLC

John Smith, partner with Edward J. Smith construction company, said they are doing some work on 24 Cherry Street. He said they got recommendations by their surveyor/engineer to remove some trees along the bank of the brook. There are two trees that they would like to take down and also do some trimming along the parking lot. He explained which trees need to be trimmed and which need to be removed.

VOTED: Unanimously on a motion by Marcia Puc and seconded by Mark Bakstis to **APPROVE** IW #14-07 with the following conditions:

1. The stumps are to remain undisturbed.
2. The trees taken down will be cut up and taken away.

- B. Discussion regarding request from Fulling Mills Development for clarification on extensions of their wetlands permit (IW #08-03).

Mary said they received a letter from Attorney Ryan regarding a wetlands permit application. She read the letter into the record. Mary clarified that the date of approval was in 2009 not 2008 as was written in the letter. Mary said there were some decision dates that were wrong in the Land Use Office. Sue clarified that IW#09-01 is the correct permit number. Mary said Sue should send a reply letter to Attorney Ryan as confirmation of the automatic extension of his client's wetland permit #09-01 until 2018, pursuant to the CT General Statutes.

- C. Commission discussion/decision regarding special permit for building addition to existing Metro Mart with additional drainage and grading located at 1419 New Haven Road (IW #14-08); Applicant: MNA Property Holding, LLC

Brian Plourde, Pustola and Associates, 185 Meadow Street, Naugatuck, said he was there on behalf of the applicant MNA Holdings, LLC. He said they are seeking approval to construct a 6588 sf addition at 1419 New Haven Road. He said parking will be in the front and in the rear. He gave an overview of the plan. He explained erosion controls that will be used. Mary said they need to review the

application. The application needs tax sign off. A site walk was set for July 9, 2014 at 6:30 P.M. at 1419 New Haven Road. A rain date was set for July 10, 2014 at 6:30 P.M.

D. Additional items require a 2/3 vote of the Commission.

There were no additional items.

6. **CORRESPONDENCE**

There was no correspondence.

7. **WEO REPORT**

A. Autohaus Property, 393 Rubber Avenue (IW #08-08)

Sue said they need to form a wetlands citation hearing board. The Mayor can appoint two people. Sue said Joe Savarese may be a good candidate. Sue will contact him.

B. Dmuchowski Property, 45 High Street

Sue said she found Keith's letter to the bank regarding the foreclosure. She will write them a letter asking for an update.

C. Naugatuck HS Renovation (IW#12-04)

Sue said the water testing has been done and the results have been passed on to the commission.

D. 1177 New Haven Road (IW#12-01)

Sue went out there and the site looks good. They are doing some repair work to the building, the guard rails have not gone up. It also looks as though the parking lot is being prepared to be paved.

E. Pondview Estates (IW#05-09)

Sue said the grass has been planted and the area looks like it is stabilized. This item will stay on the agenda until Wayne approves it coming off.

Mary asked about the gabions at Thurston's. Jim said they have them and he will try to get them installed this summer. This will go on the agenda for next month.

8. **Review/Approval** of June 4, 2014 Regular Meeting Minutes and June 11, 2014 Site walk Minutes.

VOTED: Unanimously on a motion by Sally MacKenzie and seconded by Marcia Puc to **APPROVE** the June 4, 2014 Regular Meeting Minutes with changes.

VOTED: Unanimously on a motion by Marcia Puc and seconded by Sally MacKenzie to **APPROVE** the June 11, 2014 Site walk Minutes for IW #14-02.

VOTED: Unanimously on a motion by Mark Bakstis and seconded by Marcia Puc to **APPROVE** the Site Walk Minutes for IW #14-03.

9. **ADMINISTRATIVE BUSINESS**

Mary said there were some discrepancies in the wetland permit status chart. It was clarified that the permit for the Prospect Street Industrial Park application was approved in July 2009 and it is IW #09-01. There were some other application numbers that are wrong. The Land Use office will go through them to be sure they are correct, as well as approval and expiration dates.

10. **ADJOURNMENT**

VOTED: Unanimously on a motion by Sally MacKenzie and seconded by Marcia Puc to **ADJOURN** the meeting at 8:45 P.M.

Respectfully Submitted,
Sally MacKenzie, Secretary /sg